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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1991

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## ENROLLED

SENATE BILL NO. 581

(By Senator Tomblin, et al)

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PASSED March 8, 1991

In Effect 90 days from Passage

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SECRETARY OF STATE

**ENROLLED**

**Senate Bill No. 581**

(BY SENATORS TOMBLIN, CRAIGO AND HUMPHREYS)

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[Passed March 8, 1991; in effect ninety days from passage.]

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AN ACT to amend article two, chapter nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section six-a, relating to requiring the commissioner of the division of human services to develop caseload standards; creating a caseload standards committee to make recommendations to the commissioner; allowing representatives of employee organizations to serve in an advisory role; allowing the caseload standards to be used as a basis of the department of health and human resources personal services budget request; and defining terms.

*Be it enacted by the Legislature of West Virginia:*

That article two, chapter nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section six-a, to read as follows:

**ARTICLE 2. DIVISION OF HUMAN SERVICES AND OFFICE OF  
COMMISSIONER OF HUMAN SERVICES; POWERS,  
DUTIES AND RESPONSIBILITIES GENERALLY.**

**§9-2-6a. Commissioner to develop caseload standards;  
committee; definitions.**

- 1 The commissioner shall develop caseload standards
- 2 based on the actual duties of employees in each

3 program area of the department and may take into  
4 consideration existing professional caseload standards.  
5 Standards shall be reasonable and achievable.

6 A caseload standards committee shall be established  
7 and composed of two employees from each program  
8 area in each region. The members shall be elected by  
9 the employees from each program area from among  
10 all the employees in the program area. A subcommit-  
11 tee composed of the members from each program of  
12 services provided shall meet with the appropriate  
13 office director to develop caseload standards for each  
14 program. The committee shall meet at least twice  
15 yearly and shall report recommendations to the  
16 commissioner through the personnel advisory commit-  
17 tee representative under existing procedures.

18 Representatives of an employee organization may  
19 serve in an advisory role.

20 The caseloads standards which are developed estab-  
21 lishing minimum and maximum caseloads shall be  
22 advisory for the department in the hiring of staff and  
23 in individual caseload assignments, and may be used  
24 as a basis of the department of health and human  
25 resources personal services budget request to the  
26 governor and the Legislature.

27 As used in this section:

28 "Caseload standards" means a measurable numeri-  
29 cal minimum and maximum workload which an  
30 employee can reasonably be expected to perform in a  
31 normal workday or workweek, based on the number,  
32 variety and complexity of cases handled or number of  
33 different job functions performed.

34 "Professional caseload standards" means standards  
35 established by national standard setting authorities,  
36 when they exist, or caseload standards used in other  
37 states which have similar job titles.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Thomas Fleck*  
.....  
Chairman Senate Committee

*Ernest C. Moore*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*Harrell E. McInnis*  
.....  
Clerk of the Senate

*Donald L. Klopp*  
.....  
Clerk of the House of Delegates

*Keith Faudette*  
.....  
President of the Senate

*Bob C. C.*  
.....  
Speaker House of Delegates

The within *is approved* this the *24th*  
day of *March* ....., 1991.

*Gaston Caperton*  
.....  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/20/91

Time 4:40 PM